

Message

From: White, Terri-A [White.Terri-A@epa.gov]
Sent: 9/9/2021 2:39:03 PM
To: Garcia, Beth [garcia.beth@epa.gov]; Sternberg, David [Sternberg.David@epa.gov]; Seneca, Roy [Seneca.Roy@epa.gov]; Landis, Jeffrey [Landis.Jeffrey@epa.gov]; Delgrosso, Karen [Delgrosso.Karen@epa.gov]; Koffi, LaRonda [Koffi.LaRonda@epa.gov]
CC: Febbo, Carol [febbo.carol@epa.gov]; Maldonado, Zelma [Maldonado.Zelma@epa.gov]; Ferrell, Mark [Ferrell.Mark@epa.gov]; Smith, William (Region 3) [smith.william@epa.gov]
Subject: RE: MEDIA INQUIRY - WV Gazette-Mail -: ELG Rule Compliance Questions

I saw Donna Mastro's response that this should go to OECA.

David and Beth – please check with Karen Melvin first, if for no other reason than to let her know of this inquiry. Karen gave us a heads-up a couple months ago that this matter of CCR compliance was on the horizon and that it would become a hot issue for the Region/Agency.

Terri

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From: White, Terri-A
Sent: Thursday, September 09, 2021 10:34 AM
To: Garcia, Beth <garcia.beth@epa.gov>; Sternberg, David <Sternberg.David@epa.gov>; Seneca, Roy <Seneca.Roy@epa.gov>; Landis, Jeffrey <Landis.Jeffrey@epa.gov>; Delgrosso, Karen <Delgrosso.Karen@epa.gov>; Koffi, LaRonda <Koffi.LaRonda@epa.gov>
Cc: Febbo, Carol <febbo.carol@epa.gov>; Maldonado, Zelma <Maldonado.Zelma@epa.gov>; Ferrell, Mark <Ferrell.Mark@epa.gov>; Smith, William (Region 3) <smith.william@epa.gov>
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This is definitely an ECAD matter.

Terri

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From: Garcia, Beth
Sent: Thursday, September 09, 2021 10:21 AM
To: Sternberg, David <Sternberg.David@epa.gov>; Seneca, Roy <Seneca.Roy@epa.gov>; Landis, Jeffrey <Landis.Jeffrey@epa.gov>; Delgrosso, Karen <Delgrosso.Karen@epa.gov>; Koffi, LaRonda <Koffi.LaRonda@epa.gov>
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Subject: RE: MEDIA INQUIRY - WV Gazette-Mail -: ELG Rule Compliance Questions

+ LaRonda

From: Sternberg, David <Sternberg.David@epa.gov>
Sent: Thursday, September 09, 2021 9:59 AM
To: Seneca, Roy <Seneca.Roy@epa.gov>; Landis, Jeffrey <Landis.Jeffrey@epa.gov>; Delgrosso, Karen <Delgrosso.Karen@epa.gov>; Garcia, Beth <garcia.beth@epa.gov>
Cc: Febbo, Carol <febbo.carol@epa.gov>; Maldonado, Zelma <Maldonado.Zelma@epa.gov>; Ferrell, Mark <Ferrell.Mark@epa.gov>; Smith, William (Region 3) <smith.william@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>
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I'm not sure if this would be enforcement or air. Or perhaps OECA, or WVDEP (at least for the first two) or some combination thereof.

Thoughts?

David

From: Mike Tony <mtony@hdmediallc.com>
Sent: Thursday, September 09, 2021 12:34 AM
To: White, Terri-A <White.Terri-A@epa.gov>; Seneca, Roy <Seneca.Roy@epa.gov>; Sternberg, David <Sternberg.David@epa.gov>
Subject: ELG Rule Compliance Questions

Hope you're doing well. I'm working on a story on the Appalachian Power and Wheeling Power electric utilities requesting that the West Virginia Public Service Commission reopen a case in which they're seeking approval for implementation of and cost recovery for compliance with the EPA's coal combustion residual and effluent limitation guidelines at three different in-state coal-fired power plants. I have the following questions that I was hoping you could provide responses for by my deadline of 3:30 p.m. today. Thank you very much regardless.

1. The utilities say that there is an Oct. 13 deadline for them to notify the West Virginia Department of Environmental Protection whether they intend to retire the plants to comply with the ELG rule. Is that true, and if so, can that deadline be extended?
2. If the Companies later decide not to complete ELG compliance improvements for some units, will they be required to cease coal operations at those units by each unit's ELG compliance deadline (June 30, 2023 for Mitchell, Dec. 31, 2022 for Amos and June 1, 2022 for Mountaineer)?
3. Is it true, as the utilities report, that the EPA has tolled an April 11, 2021 deadline date to begin closing bottom ash ponds at the three coal-fired power plants (the Amos, Mitchell and Mountaineer facilities)

pending its decision on the extension requests and has not issued a decision regarding their requests to extend the CCR rule deadline? (pages 20 and 21 [here](#))

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